

INTRODUCTION

Changes in federal and state criminal justice policies have significantly increased the population in our nation's prisons. According to the Bureau of Justice Statistics at the U.S. Department of Justice, local, state, and federal prisons held a record 2.07 million prisoners as of June 30, 2000.¹ In 1980, there were only 501,886 prisoners.² As a consequence, one in every 142 Americans was incarcerated in 2000, compared to one in every 451 in 1980.³

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Pennsylvania's state prison population has undergone a similar transformation in the past 20 years, increasing from 8,243 in 1980 to a record 38,481 as of August 31, 2000, a 367 percent increase.⁴

In Pennsylvania, racial and ethnic minorities account for 66 percent of the state prison population but only 12 percent of the Commonwealth's population. Pennsylvania ranks sixth highest in the nation in the racial disproportionality of its rate of incarceration...

—Pennsylvania Department of Corrections and U.S. Bureau of Justice Statistics

The explosion in the federal and state prison populations has affected racial and ethnic minorities to a greater extent than others. In 1930, 77 percent of the people admitted to U.S. prisons were white, 22 percent were African American and one percent were other racial and ethnic minorities.⁵ That ratio was virtually reversed by 2000, with African Americans and Latinos accounting for 62.6 percent of all federal and state prisoners.⁶ In Pennsylvania, racial and ethnic minorities account for 66 percent of the state prison population but only 12 percent of the Commonwealth's population.⁷ Pennsylvania ranks sixth highest in the nation in the racial disproportionality of its rate of incarceration, with an incarceration ratio of 18.4 African American citizens for every one white citizen per 100,000 population.⁸

Social scientists disagree about the sources of such a disparity or overrepresentation—whether it is due to disproportionate involvement in criminal offenses or to criminal justice system biases.⁹ The results of numerous studies of race differences in sentencing outcomes have been mixed, with many studies drawing criticism for their failure to control

PERCEPTIONS AND OCCURRENCES OF RACIAL, ETHNIC, AND GENDER BIAS IN THE COURTROOM

Judy Ariola-Rivera, bilingual and bicultural domestic violence counselor for Women's Resources of Monroe County, said at the Wilkes-Barre public hearing that white judges, "try to do the best they can," but that some "have no clue about diversity and differences in religion and culture and ethnicity and why one would choose to leave [an abusive relationship] and another one would not, or why one would feel intimidated and wear maybe a very short skirt and...look a certain way while others don't."⁷¹

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Attorneys are sometimes caught in the reflection of their clients' behavior. When women are chastised by the court for dressing inappropriately, their lawyers may simultaneously be warned that the court will no longer hear them or see them if they cannot control their clients. Beata Peck Little, of Women's Resources of Monroe County, raised the point at the Wilkes-Barre hearing, saying the attorneys therefore become fearful, "that it will affect other kinds of cases they do. For them to put their practice in such jeopardy is not something that they can do."⁷²

There is another perception that poor people are further disadvantaged because they cannot afford lawyers who can devote the requisite amount of time and attention to their cases. Though court-appointed attorneys are regarded as a pillar of the system and a primary safeguard of liberty, minority defendants instantly recognize that the system is stacked against them when, just as the trial is about to begin, they see a public defender opening the case file for the first time. Richard Garland, referenced previously, voiced a common dilemma at the Pittsburgh public hearing when he said, "Most at-risk males as well as females don't have the money to hire a good attorney. When left with a public defender, who, most of the time is overworked...he or she cannot give the necessary time needed to...providing the best defense."⁷³

With minimal representation, minorities recognize that the outcomes of their cases are adversely affected. With no case investigation and no effective representation in sight, a defendant may accept a plea bargain as the only way out of a no-win situation. "The client is threatened with the maximum penalty and then forced into taking a deal so they don't have to sit in jail any longer," Garland said. "Guilt and innocence frequently play no part in the decision to accept a plea bargain. Even if they are innocent they take a deal because of the cloud over this system: If you are black and male you are going to get it. The phrase 'innocent until proved guilty' is not something most black males believe."⁷⁴

21ST CENTURY'S DAWN'S EARLY LIGHT

My Country tis of thee * This is about your reality * By the 21st Century's Dawn's early light * There ain't no justice for you here if you ain't white ** Sweet land of liberty * Bitter was the taste of your slavery * And that putrid taste remains strong in all of our mouths * As we now see you lynching us downtown in your courthouse ** The whole world watched you beat down Rodney King * Then we saw white jurors who could not see what we were seeing * With their open eyes their closed minds saw the police were right * You know there ain't no justice for you here if you ain't white ** Today's lynchings are performed at Police State-style trials * Perpetuating this injustice American-style * Highlighting the unstated semantic reality * That lynchings don't require bodies hanging from the trees ** Oh say can you see * Strange fruit no longer hangs in America's trees * Now in the land of the free the home of the brave * Prisons conceal the lynched children of America's slaves ** Remember Martin told us to let freedom ring * So my Country tis of thee that I sing * Now in the land of the free the home of the brave * Prisons conceal the lynched children of America's slaves **

SELF-HEALING

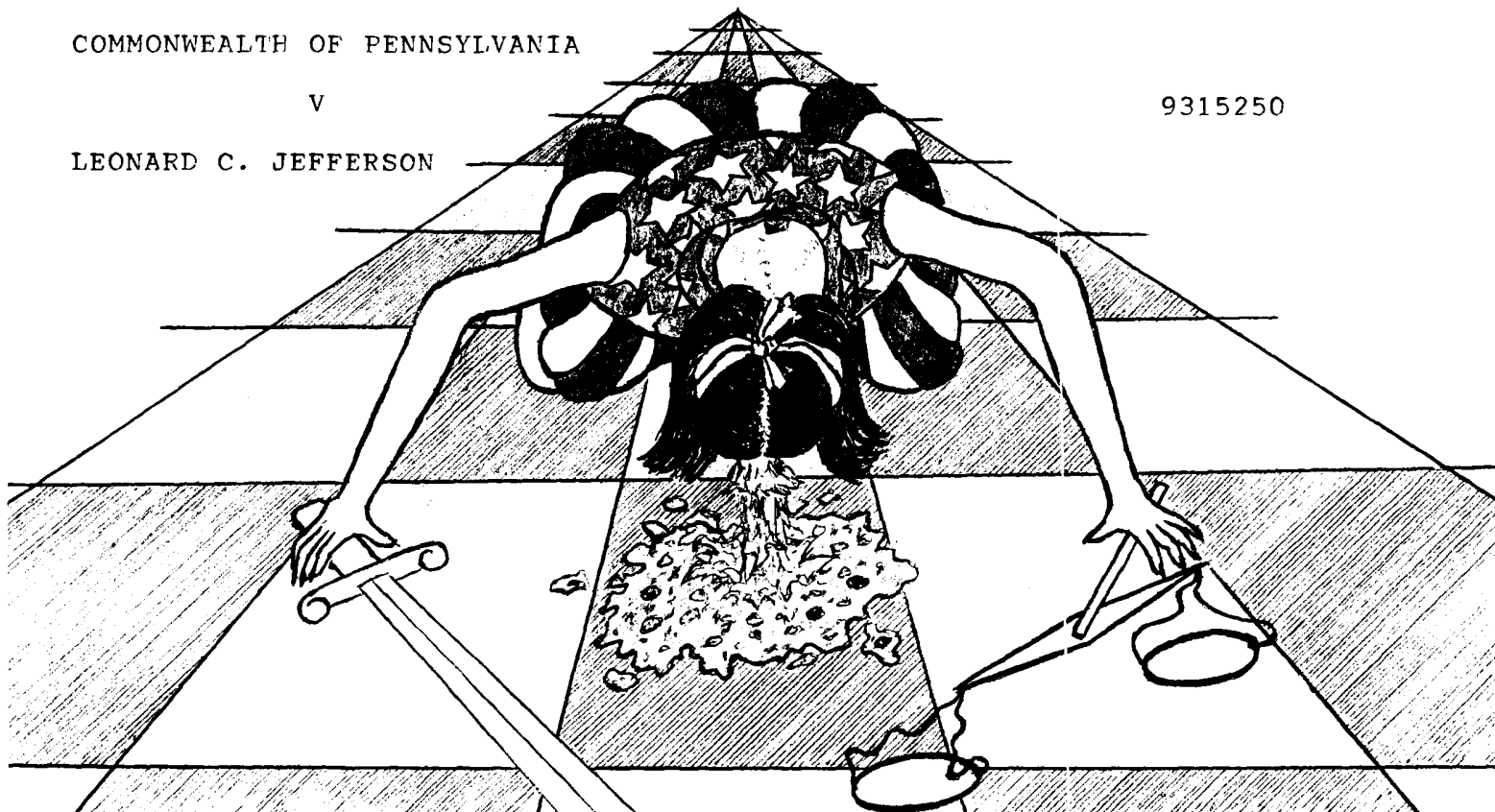
Practiced before man began recording history * The art of self-healing ain't no real mystery * The best doctors with perfected visions in their minds * Can't help those who're determined to remain blind ** Those who go out of their way to trivialize * Their loss of focus upon a very important prize * Living a nightmare unaware running out of time * Oblivious victims of State-sponsored hate crimes ** The only thing missing in their courtrooms is their hanging trees * And justice for people with black skin like you and me * Courts remain one of America's most racist places * Please don't try to deny it when it's right up in all of our faces ** 117 per 100,000 is White folk's incarceration rate * 2,152 per 100,000 is Black folk's rate in this racist state * Doubt has been dispelled by computerized light * Black's incarceration rate is 18.4 times that of Whites ** Social scientist produce these stats then they tell you humongous lies * Which you'll accept as true if you're determined to remain blind * Will you act upon the facts upon which these stats stand * To end State-sponsored hate crimes against the Black man ** Even blind eyes must see our apathy as strange * Educated and wealthy now what are we doing to make this situation change * Could it be that doctorate degrees and surplus personal wealth * Destroy the vision of those who have not learnt we must show love to ourselves ** Practiced before man began recording history * The art of self-healing ain't no real mystery * The best doctors with perfected visions in their minds * Can't help those who're determined to remain blind ** Those who go out of their way to trivialize * Their loss of focus upon a very important prize * Living a nightmare unaware running out of time * Oblivious victims of State-sponsored hate crimes **

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY PENNSYLVANIA
COMMONWEALTH OF PENNSYLVANIA

V

9315250

LEONARD C. JEFFERSON



With 10 years in on a 7½ to 20 for a crime that my trial judge knows I did not commit * I think I've seen enough explicit signs to say a Black defendant's rights ain't worth **A BUCKET OF MAGGOT SPIT** * Like you I always knew there was something wrong with Black people's rights * Because we were always denied the justice that seem to be reserved just for Whites * Like when the State ain't got no case and we got a complete defense that is air tight * And they take us to trial without probable cause just to show us that we ain't got no rights * Except the right to remain silent while an ADA tells a tale that he she or it knows ain't true * Actual innocence means nothing where straight corruption perverts the process that is due * Entertained by endless media images of Black men involved with drugs and crime * COPS and AMERICA'S MOST WANTED make impartial White jurors impossible for us to find * White jurors understand their civic duty to convict the African American male * When he is unable to afford a dream team to avoid the nightmare of decades in jail * Where the law ends tyranny begins in spite of any official ifs ands or butts * And where the Judge breaks the law the case is fatally flawed and should make you wanna puke up your guts * Judges saying bizarre testimony is true when they know the State's witness is lying * PDs refusing to present the relevant legal arguments that the jurors should be deciding * ADAs presenting known false testimony and concealing exculpatory evidence * Force many who did not commit any crime to plead guilty to a lesser included offense * I am not a man who would plead guilty to any crime that God knows I did not commit * Especially where expert medical testimony would force even biased jurors to acquit * The Judge ADA and PD were so enraged by my refusal to accept what they called a deal * That they subverted my right to present my defense in their frenzy to make the kill * The Judge slunk as the ADA and PD sunk to prevail in this no win situation * By presenting false evidence in the jury room to avoid truth revealing cross examination * Where the law ends tyranny begins in spite of any official ifs ands or butts * And when the Judge breaks the law the case is fatally flawed and should make you wanna puke up your guts * The Judge slunk as the ADA and PD sunk to prevail in this no win situation * By presenting false evidence in the jury room to avoid truth revealing cross examination * Ignoring the corruption that perpetuates injustice has become today's new Golden Rule * Along with keeping your mouth shut while pretending you're not swimming with bottom feeders in a cesspool *



IN THE COURT OF COMMON PLEAS
OF ALLEGANY COUNTY, PENNSYLVANIA
CRIMINAL DIVISION
No. 931250

COMMONWEALTH OF PENNSYLVANIA
vs.
LEONARD C. JEFFERSON, Defendant.

ORDER OF THE COURT

AND NOW, to-wit this 18th day of May, 1994 it is
hereby ORDERED and DECREED that the above-named defendant
does not have any legal rights which Pennsylvania's
Judiciary will respect and/or acknowledge. It is further
ORDERED and DECREED that the above-named defendant is to be
deprived of the constitutional and statutory rights which
human rights) and that he shall appear in court buttressed at the
reading of this ORDER and at each subsequent proceeding in
this case to serve as a reminder to every court in this
Commonwealth of the above-named defendant's non-human status.

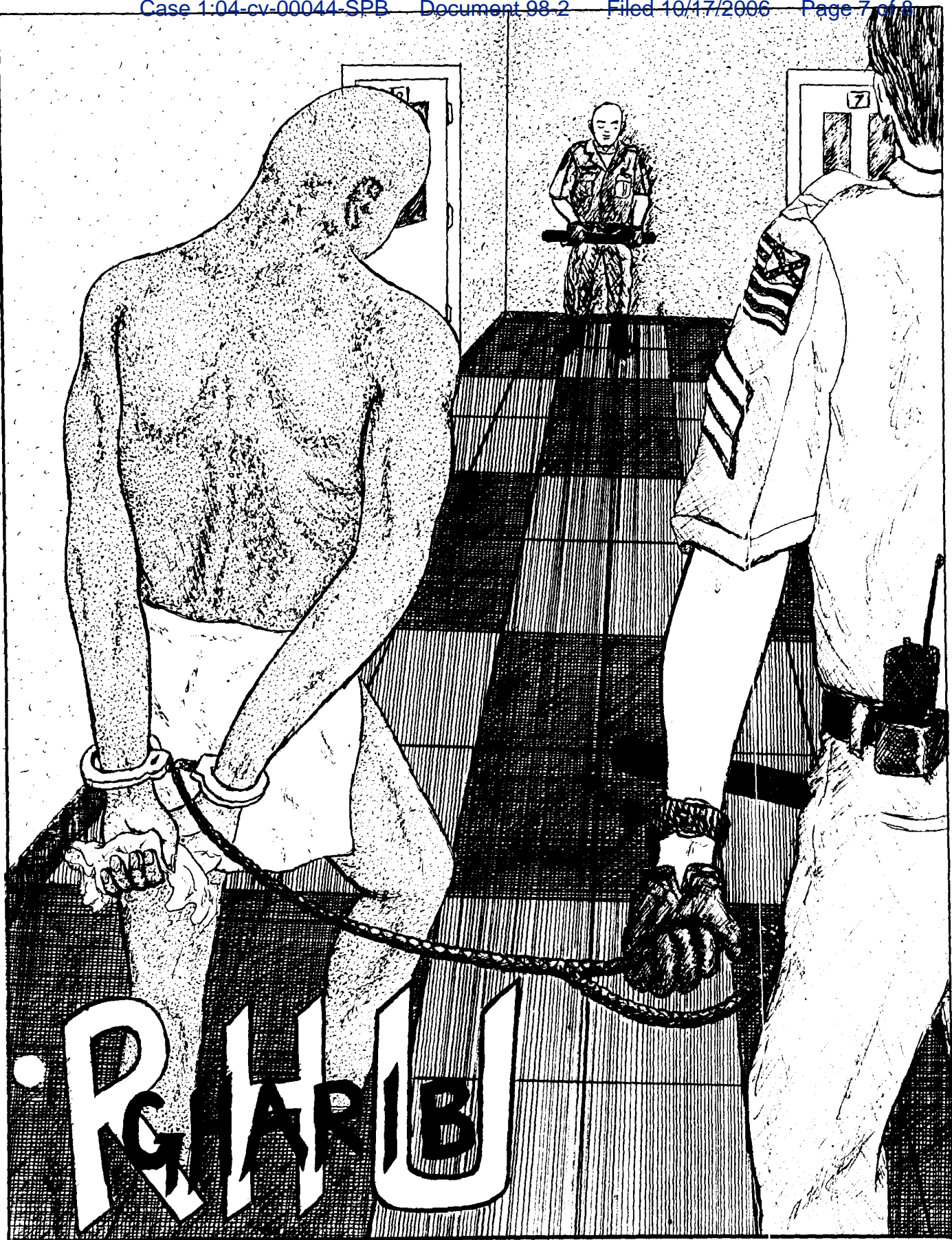
PAUL W. TOTT, JR. J.

DATED: 05/18/94

2005 *March* 200

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KEEFE'S COMMISSA

NO RETURNS

PRICES
SUBJECT TO
INCREASE
DRAMATICALLY
WITHOUT
NOTICE

D.O.C.

PE#1

O.K. TOUGH
GUY! LOWER
YOUR LEFT HAND
SLOWLY AND
PICK UP THE
PEN...

12-23-05